

Apr 08 2021

UNITED STATES DISTRICT COURT
for the
Northern District of California

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

United States of America)	
v.)	
)	Case No. 3-21-mj-70587 MAG
)	
MARK DAVID ANDERSON)	
)	
)	

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 7, 2020 in the county of San Francisco in the
Northern District of California, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 2113(a), (d)	Maximum 25 years' imprisonment Maximum \$250,000 fine. Maximum 5 years supervised release \$100 special assessment Forfeiture

This criminal complaint is based on these facts:

See attached affidavit of FBI SA Jeffrey Kim.

Continued on the attached sheet.

/s/

Complainant's signature

FBI SA Jeffrey Kim

Printed name and title

Approved as to form Alexis James
AUSA Alexis James

Sworn to before me by telephone.

Date: 04/08/2021

City and state: San Francisco, CA



Magistrate Judge Jacqueline Scott Corley

Printed name and title

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR CRIMINAL COMPLAINT AND ARREST WARRANT

I, Jeffrey Kim, Special Agent with the Federal Bureau of Investigation (“FBI”), being duly sworn, hereby declare as follows:

INTRODUCTION

1. I submit this affidavit in support of an application under Rule 4 of the Federal Rules of Criminal Procedure for a criminal complaint and arrest warrant authorizing the arrest of **MARK DAVID ANDERSON (“ANDERSON”)** for violating Title 18, United States Code, Sections 2113(a) and (d), armed bank robbery on November 7, 2020.

SOURCES OF INFORMATION

2. The facts and information set forth in this affidavit are based on my personal observations, review of records and images, my training and experience, and, as specifically attributed below, information obtained from law enforcement officers and witnesses. To the extent that any information in the affidavit is not within my personal knowledge, it has been made available to me through reliable law enforcement sources, and I believe such information to be true.

3. Because this affidavit is submitted for the limited purpose of demonstrating probable cause for the issuance of a criminal complaint and arrest warrant, I have not included each and every fact known to me concerning the investigation. Rather, I have set forth only the facts necessary to establish probable cause that violation of the federal law identified above has occurred.

4. Where statements made by other individuals (including other special agents and law enforcement officers) are referenced in this affidavit, such statements are described in sum and substance and in relevant part. Similarly, where information contained in reports and other

documents or records are referenced in this affidavit, such information is also described in sum and substance and in relevant part.

AGENT'S BACKGROUND AND EXPERTISE

5. I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in Title 18, United States Code, Section 2516.

6. I have been employed as a Special Agent with the FBI for approximately eight years. I have completed FBI Special Agent training at the FBI Academy in Quantico, Virginia, and have completed training in various areas, including but not limited to criminal investigative techniques, financial investigations and money laundering, undercover operations, electronic and physical surveillance procedures, criminal law, among other areas. I have also spoken to, and worked with, more experienced federal, state, and local law enforcement agents and officers. I am currently assigned to the San Francisco Field Division, where my responsibilities include, among other things, conducting investigations into violations of federal criminal law, including bank robberies, in violation of 18 U.S.C. § 2113.

APPLICABLE LAW

7. Title 18 United States Code § 2113(a) prohibits a defendant from taking or attempting to take “by force and violence, or by intimidation” any money, property, or other thing of value “belonging to, or in the care, custody, control, management, or possession of, any bank . . .” For the purposes of this statute, a “bank” includes any institution the deposits of which are insured by the Federal Deposit Insurance Corporation (“FDIC”). 18 U.S.C. § 2113(f).

8. Title 18 United States Code § 2113(d) imposes a higher maximum imprisonment penalty for anyone who, in committing, or in attempting to commit, any offense defined in 18 U.S.C. § 2113(a) “assaults any person, or puts in jeopardy the life of any person by the use of a dangerous weapon or device.” A weapon or device is dangerous if it is something that creates a greater apprehension in the victim and increases the likelihood that police or bystanders would react using deadly force. Ninth Circuit Model Crim. Jury Instr. 8.162 (*citing United States v. Pike*, 473 F.3d 1053, 1060 (9th Cir. 2007)).

FACTS ESTABLISHING PROBABLE CAUSE

A. November 7, 2020 Wells Fargo Bank Robbery

9. On November 7, 2020, at approximately 10:00 a.m., the suspect entered the Wells Fargo Bank located at 1160 Grant Avenue, in San Francisco, California in the Northern District of California.

10. The suspect briefly waited in line then approached a bank teller (“Victim 1”) at the teller window. The suspect brandished what appeared to be a knife with a black handle, briefly placing it on the teller counter then back into his pocket, and loudly demanded Victim 1 give the suspect money without the dye pack. Victim 1 complied. Victim 1 placed the bank’s electronic GPS tracker in the money given to the suspect. The suspect took the money which contained the electronic GPS tracker, placed it inside a black backpack, and exited the bank.

11. The bank’s surveillance system captured the incident on video. The surveillance showed the suspect, an older white male, approximately 6’0” in height, with a heavy overweight build, with longer brown colored hair protruding from a light red colored baseball cap the suspect wore. The suspect also wore a facial mask that partially covered his face, black sunglasses, a yellow jacket, a white t-shirt with a green

logo that depicted the number “25” in front, dark colored pants, and black athletic shoes. The suspect carried a black backpack and a retrieved a knife from the right pocket of his yellow jacket.



Image 1: Still photo from the Wells Fargo Bank surveillance camera footage showing the suspect waiting in line (November 7, 2020)



Image 2: Still photo from the Wells Fargo Bank surveillance camera footage showing the suspect placing the knife on Victim 1's counter (November 7, 2020)

12. The San Francisco Police Department (“SFPD”) arrived and took the report from Victim 1 who relayed the above information and stated in sum and substance, that they gave the suspect the money because they were shaken and fearful for their safety.

13. The loss amount calculated by the bank following the robbery was approximately \$605 which included bait money. At the time of the robbery, the Wells Fargo Bank and its deposits were insured by the Federal Deposit Insurance Corporation.

B. November 9, 2020 East West Bank Robbery

14. On November 9, 2020, at approximately 2:35 p.m., the suspect entered the East West Bank located at 900 Kearny Street, in San Francisco, California in the Northern District of California.

15. The suspect immediately approached a teller station occupied by a bank teller (“Victim 2”) and placed an orange bag on the counter. The suspect then told Victim 2 to give him 5 and 10 dollar bills. The suspect also stated that he didn’t have a gun, but that someone outside did have a gun. Victim 2 complied. The suspect stated that the money wasn’t enough and asked for me. Victim 2 placed additional money on the counter. The suspect took the money, placed it into the bag, and exited the bank.

16. The bank’s surveillance system captured the incident on video. The surveillance showed the suspect, an older white male, approximately 6’0” in height, with a heavy overweight build, and with longer brown colored hair that protruded from a bright orange colored beanie the suspect wore. The suspect also wore a light blue facial mask with small logos that partially covered his face, a green and black long sleeve plaid button up shirt, a black shirt with a grey colored stripe and an Adidas logo in front, dark colored pants, and black athletic shoes. The suspect carried a bright orange bag which he used to put the money inside.



Image 3: Still photo from the East West Bank surveillance camera footage showing the suspect interacting with Victim 2 (November 9, 2020)

17. The SFPD arrived and took the report from Victim 2 who relayed the above information and stated in sum and substance, that while the suspect spoke nicely, Victim 2 was fearful for their safety.

18. The loss amount calculated by the bank following the robbery was approximately \$335. At the time of the robbery, the East West Bank and its deposits were insured by the Federal Deposit Insurance Corporation

19. In my opinion, the physical appearance of the suspect from the November 9, 2020 East West Bank incident appeared very similar to the suspect from the November 7, 2020 Wells Fargo bank incident.

C. Investigation and Identification of Mark Anderson

20. On November 9, 2020, the SFPD provided an image of the suspect from the November 7, 2020 incident to a building manager who maintained numerous commercial business security cameras along the Broadway and Columbus street corridor near the vicinity of the Wells Fargo Bank. That same day, the building manager notified the SFPD that the suspect was captured by their security cameras taking off his hat, sunglasses, and yellow jacket and stuffing the items into his backpack as he crossed Columbus Avenue.¹ The manager provided a video still of the suspect with his face mask removed to the SFPD, who then forwarded the still to me. The video still captured the suspect's face and hair. The suspect was wearing the identical white t-shirt with a green logo that depicted the number "25" in front with his facial mask removed exposing his entire face. Based upon the video still and having previously reviewed the Wells Fargo Bank surveillance camera footage, I believed the individual in the still was the suspect who robbed the Wells Fargo Bank.

¹ Columbus Avenue is adjacent to the Wells Fargo Bank where the November 7, 2020 incident occurred.



Image 4: Still photo from the Wells Fargo Bank surveillance camera footage showing the suspect (November 7, 2020)



Image 5: Still photo from commercial building video surveillance showing the suspect after removing his mask and jacket (November 7, 2020)

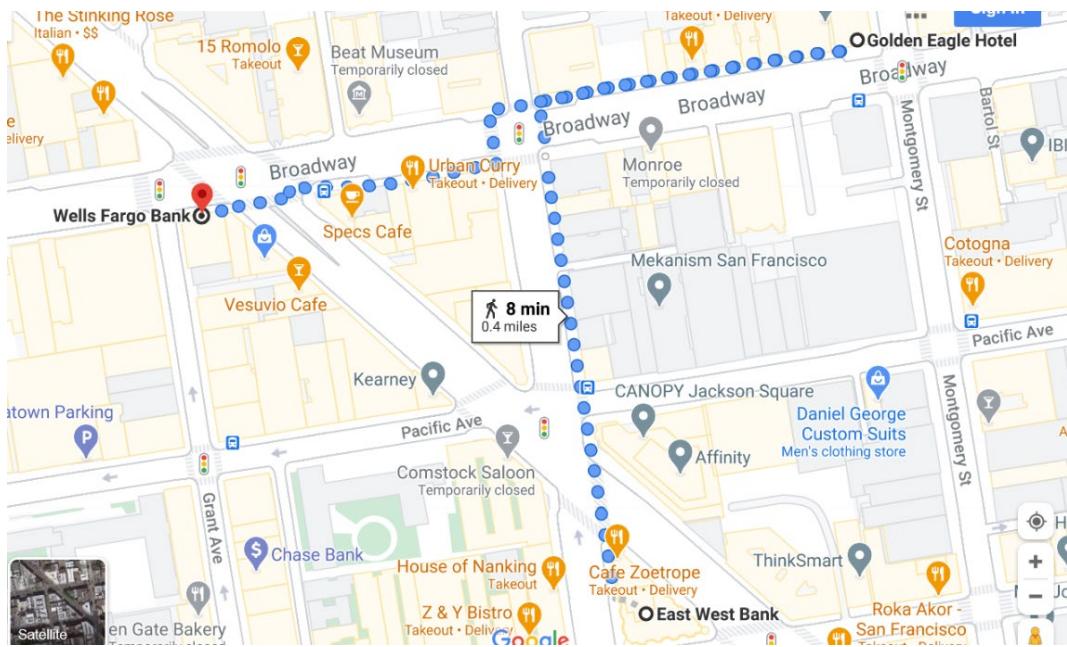
21. On November 10, 2020, I requested and received the precise GPS geolocation data. The graphics depicted the location and route of the electronic tracker that the suspect took following the Wells Fargo Bank incident on November 7, 2020. The geolocation information showed that the tracker activated during the Wells Fargo Bank incident at 10:04:34 a.m. and remained active—providing geolocation data or “pings”—until it stopped around 10:13:22 a.m. the same day at 1023 Montgomery Street, San Francisco.

22. Using this information, I conducted a google map search of 1023 Montgomery Street, San Francisco, California which revealed that address as the Golden Eagle Hotel. The hotel’s entrance is immediately around the corner at 402 Broadway Street, San Francisco, California. The Golden Eagle Hotel is approximately two blocks away from both the Wells Fargo Bank from the November 7, 2020 incident and the East West Bank from the November 9, 2020 incident.

Image 6: GPS geolocation data map



Image 7: Google map of both banks and Golden Eagle Hotel



23. On November 12, 2020, having obtained video stills of the suspect and his face, as well as the precise geolocation tracker data which captured the suspect's route of travel up until the pings stopped at the hotel, I conducted a neighborhood canvass near the Golden Eagle Hotel. As I approached the vicinity of the hotel, I observed an older white

male, with a heavy build, and longer brown hair being escorted by San Francisco Emergency Medical Technicians (“EMTs”) and SFPD officers. In my opinion, this individual’s appearance matched that of the suspect in both bank robberies. After speaking with the SFPD officers on scene, I learned this individual to be **MARK ANDERSON**.

24. I took pictures of ANDERSON after officers secured ANDERSON within the ambulance. I observed that apart from the near identical resemblance to the bank robbery suspect, ANDERSON wore the identical mask and a similar green and black plaid button up shirt worn during the East West Bank incident on November 9, 2020. I thereby concluded that ANDERSON was the bank robbery subject.



Image 8: Photo of MARK ANDERSON (November 12, 2020)

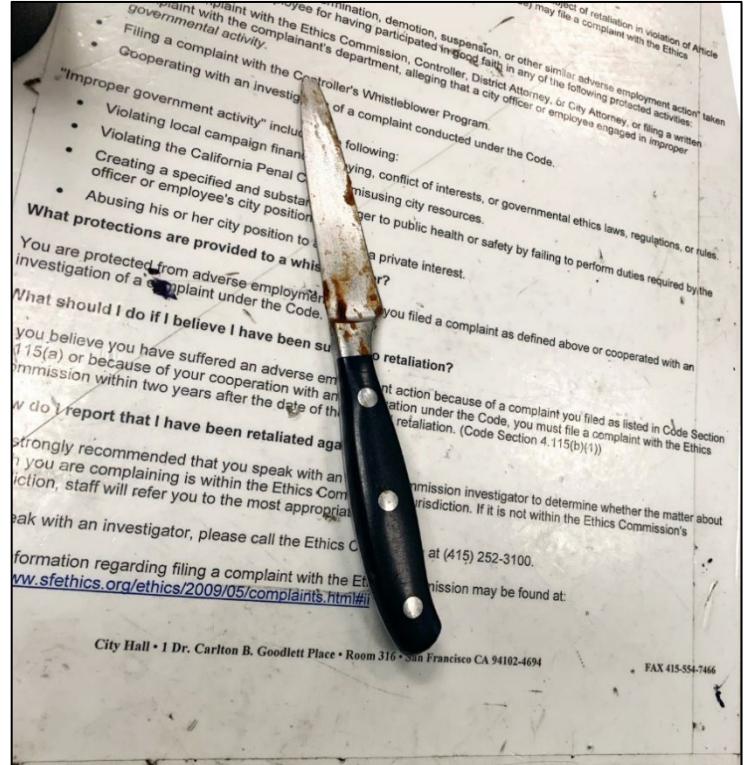


Image 9: Photo of the knife recovered from ANDERSON's hotel room (November 12, 2020)

25. In furtherance of the investigation, I contacted the Residential Manager at the Golden Eagle Hotel. The manager stated that ANDERSON had been staying at the hotel and

provided the hotel's registration card containing ANDERSON's California Driver's License number and date of birth. The manager and I reviewed the Hotel's security camera footage the day of the November 7, 2020 and November 9, 2020 incidents. On November 7, 2020, the hotel's exterior entry, internal stairwell, and lobby cameras captured ANDERSON arriving to the Hotel wearing the identical white shirt with a green logo that depicted the number "25" and carrying the black backpack utilized during the Wells Fargo Bank incident. ANDERSON is captured retrieving the identical yellow jacket, light red colored baseball cap, and black sunglasses from the black backpack. ANDERSON then enters the Hotel without a mask or head covering. The security cameras time stamps showed that ANDERSON arrived to the hotel several minutes after the Wells Fargo Bank incident.

Image 10: Still photo of ANDERSON entering the Golden Eagle Hotel on November 7, 2020 wearing & retrieving the identical clothing worn during the Wells Fargo Bank Robbery (November 7, 2020)



2020-11-07 10:08:20 AM

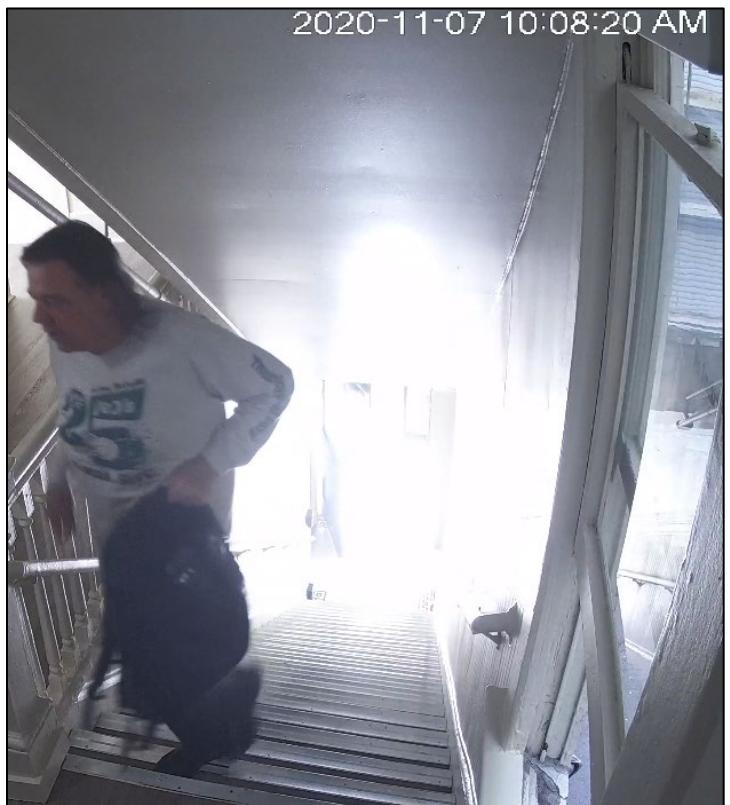


Image 11: Still photo of ANDERSON inside the Golden Eagle Hotel on November 7, 2020 without a mask & wearing the identical shirt worn during the Wells Fargo Bank Robbery (November 7, 2020)

26. Similarly, these cameras also captured ANDERSON arriving to the hotel on November 9, 2020, wearing an Adidas shirt, light blue face mask, and carrying an orange bag similar to the suspect from the East West Bank incident. The security cameras time stamps showed that ANDERSON arrived at the hotel less than 15 minutes after the East West Bank incident.



Image 12: Still photo of ANDERSON walking up the Golden Eagle Hotel stairwell on November 9, 2020 carrying the orange bag & wearing the identical mask & Adidas shirt worn during the East West Bank Robbery (November 9, 2020)

D. Search and Arrest of Mark Anderson

27. EMTs detained and transported ANDERSON to San Francisco General Hospital. Prior to being transported to the hospital, ANDERSON packed a suitcase which accompanied him to the hospital. SFPD officers responded to the hospital and searched the suitcase. Officers recovered and seized, among other things, an orange beanie and a long sleeve black Adidas shirt believed to be worn during the East West Bank incident. As a result of the identification, the SFPD arrested ANDERSON for the Wells Fargo Bank and East West Bank incidents.

28. Following his arrest, officers read ANDERSON his Miranda rights and he

consented to an interrogation. During the recorded interrogation, ANDERSON confessed to both the Wells Fargo Bank incident on November 7, 2020, and the East West Bank incident on November 9, 2020. ANDERSON also identified himself from the security camera stills. ANDERSON indicated that in the first robbery, he held a knife along the side of his body and that he never raised it toward the teller. ANDERSON stated that in the second robbery, he asked for only “fives” and “tens,” because he did not want any bait money.

29. ANDERSON voluntarily signed a consent to search form allowing the SFPD to search his residence at the Golden Eagle Hotel. That same day, the SFPD conducted a search of ANDERSON’s room at the hotel and found, among other items, the white shirt and the black sunglasses worn during the Wells Fargo Bank robbery.

Image 13: Photo of the shirt found in ANDERSON’s room (November 12, 2020)

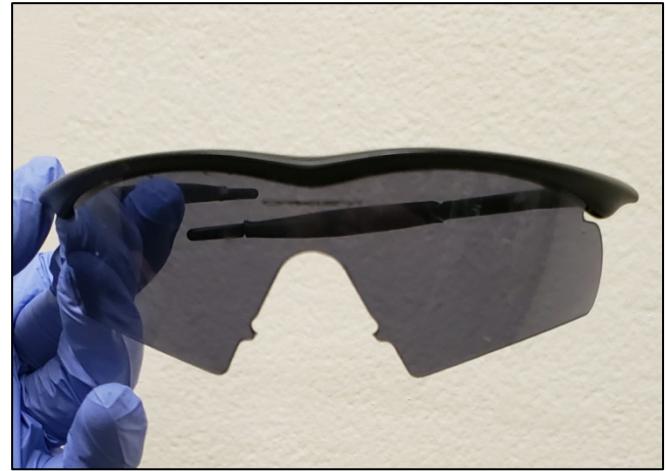


Image 14: Photo of the black sunglasses found in ANDERSON’s room (November 12, 2020)



Image 15 & 16: Photos of the clothing found in ANDERSON's suitcase (November 12, 2020)

CONCLUSION

30. Based on the information set forth in this affidavit, and my training and experience, I respectfully submit that there is probable cause to believe that on or about November 7, 2020, in the Northern District of California, **MARK DAVID ANDERSON** committed a violation of Title 18 United States Code Sections 2113(a) and (d), armed bank robbery.

Dated: April 8, 2021

/s/

JEFFREY KIM
Special Agent
Federal Bureau of Investigation

Sworn to before me over the telephone and signed by me pursuant to Fed.R.Crim.P 4.1 and 4(d) on this 8th day of April 2021.

A handwritten signature in black ink, appearing to read "Jacqueline Scott Corley".

THE HONORABLE JACQUELINE SCOTT CORLEY
United States Magistrate Judge